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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/072,804 | 02/08/2002 | Youichirou Sugino | 04558/063001 | 3655 |

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EXAMINER

CHOWDHURY, TARIFUR RASHID

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2871

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--|--------------------------------------|--|
| Office Action Summary | Application No. 10/072,804 | Applicant(s) SUGINO ET AL. | |
| | Examiner Tarifur R Chowdhury | Art Unit 2871 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 6-10, 15-19, 23-27 is/are rejected.
- 7) ☒ Claim(s) 2-5, 11-14 and 20-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 6-10, 15-19 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al., (Nakano), JP 60-083903 A.

4. Nakano discloses (title/abstract) and shows in Fig. 4, a polarizing plate used in a liquid crystal display wherein the polarizing plate comprising a polarizer (2), wherein all surfaces of the polarizer are covered with low moisture-permeable layers (1, 1') having moisture permeability of $100 \text{ g/m}^2 \cdot 24\text{h}$ (which is less than $310 \text{ g/m}^2 \cdot 24\text{h}$). Nakano further discloses (abstract) and shows in Fig. 3 that all sides of the polarizer are also covered with sealing layer (3) of epoxy resin having low moisture permeability.

Nakano does not explicitly disclose that the layer (3) has permeability of 310

$\text{g/m}^2 \cdot 24\text{h}$ or less.

However, Nakano discloses that both the protective layers (1, 1') and the sealing layer (3) have low moisture permeability and further discloses that the permeability of the protective layers is $100 \text{ g/m}^2 \cdot 24\text{h}$. Nakano also discloses that by covering all surfaces and sides of a polarizer with low moisture permeability layers, it is possible to obtain a polarizing element with high reliability and maintain its polarizing power even environment at high humidity (abstract).

Nakano is evidence that ordinary workers in the art would find a reason, suggestion or motivation to use sealing layer having low moisture permeability such as $100 \text{ g/m}^2 \cdot 24\text{h}$.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use sealing layers having low moisture permeability of $100 \text{ g/m}^2 \cdot 24\text{h}$ so that a polarizer having high reliability and capable of maintaining its power even environment at high humidity is obtained.

Typically an absorptive linear polarizer is attached to at least one side of a liquid crystal cell. Nakano also discloses that the polarizer comprises a polyvinyl alcohol film (abstract).

Accordingly, claims 1, 10, 19 and 23-27 would have been obvious.

As to claims 6-9 and 15-18, attaching a reflector to obtain a reflective display or a retarder or a viewing angle compensation film to increase viewing angle characteristics or a brightness enhancement film to obtain a brighter screen to the polarizing plate is considered as intended use and thus would have been obvious.

Allowable Subject Matter

5. Claims 2-5, 11-14 and 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment

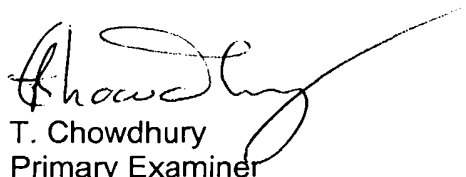
6. The declaration filed on 08/28/03 under 37 CFR 1.131 is sufficient to overcome the US 2002/0102369 reference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.


T. Chowdhury
Primary Examiner
Technology Center 2800

TRC
November 04, 2003